

The Honorable RICARDO S. MARTINEZ

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

BACKPAGE.COM, LLC,

Plaintiff,

v.

ROBERT M. MCKENNA, Attorney
General of Washington State, et al,

Defendants.

NO. 2:12-cv-00954-RSM

DECLARATION OF PAULA
SELIS IN OPPOSITION TO
PLAINTIFF'S MOTION FOR
TEMPORARY RESTRAINING
ORDER

I, Paula Selis, declare:

1. I am an Assistant Attorney General with the State of Washington's Attorney General's Office Consumer Protection Division. I am over the age of eighteen and qualified to make this Declaration.

2. On June 30, 2011, I met with representatives of Backpage.com at the Office of the Attorney General to discuss the company's escort advertising. The meeting was held at the request of Backpage.com. Backpage.com's representatives at the meeting were Carl Ferrer, Vice President of Sales and Marketing for the company; Don Bennett Moon, an attorney and member of Board of Directors for Village Voice Media, Backpage.com's parent company; and Kenneth Stocker, Publisher of the Seattle Weekly, a Village Voice Media publication. The Attorney General's Office was represented at the meeting by Chris Johnson,

1 the Attorney General's Office Policy Director; Dan Sytman, Deputy Communications
2 Director for the Attorney General's Office, and me.

3 3. Backpage.com told us their purpose in asking for the meeting was to
4 demonstrate their efforts to police their website for underage human trafficking. After
5 discussing their efforts, Dan Sytman asked whether there were any illegal ads on the
6 Backpage.com website. They responded that there were no ads that offered sex for money. I
7 took them to task for this and said "You mean to tell me that if someone responded to an
8 advertisement, the woman they called for services would be offering to go out for coffee?
9 *That's what you are advertising?"* At that point, Don Moon looked at Carl Ferrer and said
10 "Don't deny the undeniable" and laughed. It was clear that Mr. Moon meant it was
11 undeniable that the ads on Backpage.com were for prostitution services, and they should not
12 pretend otherwise. After Mr. Moon made this statement, he followed up by saying that the
13 First Amendment gave Backpage.com the right to advertise in the manner they have chosen.
14 This confirmed to me that he understood the true nature of the advertising, but believed
15 Backpage.com had a right to distribute it nonetheless.

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4. During the conversation, I also asked whether Backpage.com had proactively called the people who advertise on their website to determine what, exactly, they were offering for sale. My question was not answered. Rather, the Backpage.com representatives turned the discussion to the Communications Decency Act and Mr. Moon's claim that it absolutely protected Backpage.com from liability.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED this 27th day of June, 2012, at Seattle, Washington.

ROBERT M. MCKENNA
Attorney General

Paula Selis

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